

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LAWRENCE EVERETT WILGUS,)	3:13-cv-00368-MMD-WGC
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
vs.)	
)	September 12, 2014
BRUCE BANNISTER, et al.,)	
)	
Defendants.)	
)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court are Defendants' Motion for Enlargement of Time to File a Reply in Support of Cross-motion for Summary Judgment (Doc. # 34) and Plaintiff's Cross-Motion for Enlargement of Time to File Report in Support of Cross-motion for Summary Judgment (Doc. # 35). These competing motions relate to the response/reply deadlines pertaining to two pending dispositive motions, Plaintiff's Motion for Partial Summary Judgment (Doc. # 23) filed July 22, 2014,¹ and Defendants' Cross Motion for Summary Judgment (Doc. # 30, respectively) filed August 15, 2014.

The record reflects that the parties stipulated to an August 15, 2014 deadline for Defendants' filing of their opposition/cross motion (Doc. # 24). The parties further stipulated that "[b]oth parties will then have up to and including September 12, 2014 to file final reply briefs for all purposes." (*Id.*) The court approved the stipulation. (Doc. # 25.)

Counsel for Defendants thereafter realized that he would not have an opportunity to file a reply brief to Plaintiff's response to Defendants' cross motion for summary judgment. Counsel for defendants sought a stipulation from Plaintiff's counsel to file a separate reply to Plaintiff's anticipated opposition of Defendants' cross-motion for summary judgment. (Doc. # 34 at 2.) Plaintiff's counsel declined to grant the stipulation, insisting that the "dual reply was [the] plan." (Doc. # 35 at 2.) In addition to opposing defendants' motion for enlargement of time, Plaintiff also sought his own extension of time to file a "Reply in Support of Cross Motion for Summary Judgment." (*Id.* at 2, 5.) However, counsel for Plaintiff does not state why an additional period of time would be necessary or for what duration.

¹ Plaintiff's motion for partial summary judgment, Doc. # 23 was superseded by a replacement motion, Doc. # 27, which was filed September 30, 2014. The replacement motion was necessitated by reason of certain confidential information contained in Plaintiff's initial motion which the court ordered Plaintiff to redact in a minute order dated July 28, 2014. (Doc. # 26.) Otherwise, the motions appear to be identical.

